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RITUAL BROTHERHOOD IN ROMAN AND POST-ROMAN SOCIETIES

By BRENT D. SHAW

A singular merit of John Boswell's provocative *Same-Sex Unions* has been to refocus the attention of a wide range of scholars from differing disciplines on the significance of manuscript sources for *adelphopoiesis*, a Christian ceremonial in the eastern Mediterranean for the 'making of a brother'.[1] It seems fair to say that the balance of scholarly opinion has rejected his claim that these rites were, in effect, marriage ceremonials for men.[2] The ceremonials seem to have

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[1]I would like to express my gratitude for the critical acumen of my fellow laborers, Elizabeth Brown and Claudia Rapp. Their forebearance with primitive draft versions of my paper was a paradigm of endurance; their questioning of matters of substance and rejection of error, models of scholarly dispassion. Thanks are also due to Peter Brown and to the members of the Late Antique Seminar of Princeton University for their critical remarks and suggestions made at the presentation of a paper on the subject in March of 1996. I would also like to note the assistance and advice offered by Keith DeVries, Lois Drewer, Gabriel Herman, Nenad Ivic, Shauna Shaw, Gonda Van Steen, Joel Walker, and an anonymous reader for *Traditio*. I also note the hospitality of the Institute for Advanced Study (Princeton) during all stages of research and the writing of this essay.

[2]Boswell, *SSU*. In addition to the studies and short-titles cited by Elizabeth Brown (n. 1 of the Introduction above), please note the following:

Blockley = Roger C. Blockley, ed. and trans., *The Fragmentary Classisising Historians of the Later Roman Empire: Eunapius, Olympiodorus, Priscus and Malchus*, 2 vols. (Liverpool, 1981–83).

Bruns and Sachau, *Syrisch-römisches Rechtsbuch* = Carl Georg Bruns and Eduard Sachau, eds., *Syrisch-römisches Rechtsbuch aus dem fünften Jahrhundert aus den orientalischen Quellen* (Leipzig, 1880; repr. Aalen, 1961).

HF = Bruno Krusch, Wilhelm Levinson, and Walther Holtzmann, eds., *Gregorii Episcopi Turonensis Historiarum libri X*, 2nd ed., MGH SSRM, 1 (Hanover, 1937).

FIRA^2 = *Fontes Iuris Romani Antejustiniani*, 3 vols., 2nd ed., ed. Salvatore Riccobono et al., (Florence, 1972).

Jussen, *Patenschaft und Adoption* = Bernhard Jussen, *Patenschaft und Adoption im frühen Mittelalter. Künstliche Verwandtschaft als soziale Praxis* (Göttingen, 1991).

Koschaker, "Adoptio in fratrem" = Paul Koschaker, "Adoptio in Fratrem," in *Studi in onore di Salvatore Riccobono nel XL anno del suo insegnamento*, vol. 3 (Palermo, 1936), 359–76.

Michaelides-Nouaros, "Peri tês adelphopoiias" = Georgios Michaelides-Nouaros, "Περὶ τῆς ἀδελφοποιίας ἐν τῇ ἀρχαίᾳ Ἑλλάδι καὶ τῷ Βυζαντίῳ," in Panagiotes I. Zepos, Georgios Michaelides-Nouaros and Georgios Simonetos, eds., Τόμος Κωνσταντίνου Ἀρμενοπούλου ἐπὶ τῇ ἐξακοσιετηρίδι τῆς Ἐξαβίβλου αὐτοῦ (*1345–1945*) (Thessaloniki, 1952), 251–313.

Nallino, "Divieto Romano" = Carlo Alfonso Nallino, "Intorno al divieto romano imperiale dell'affratellamento e ad alcuni paralleli arabi," in *Studi in onore di Salvatore Riccobono nel XL anno del suo insegnamento*, vol. 3 (Palermo, 1936), 321–57 = ch. 13 in M. Nallino,

been used to create a ritual brotherhood in which one man 'adopted' another as his 'brother'. This still leaves a large question to be considered: precisely what kinds of social institutions or arrangements did these rituals seek to confirm? I propose to investigate this problem in the context of evidence relating to the social structures of Roman and post-Roman societies, both to elucidate the social bonds reflected in the rites of *adelphopoiesis* and to suggest why this peculiar type of personal attachment is strikingly absent from the annals of western Roman imperial society.

The general absence of 'adoptive' or 'made' brothers in the literary sources that describe Roman social relations was noted long ago by Charles du Fresne, *sieur* du Cange.[3] Expanding on his assertion that such arrangements did not exist in the Roman world, Du Cange suggested that this was "parce qu'elles ne pouvoient estre fondées sur aucune des raisons qui ont introduit l'usage des adoptions."[4] Though technically true, Du Cange's answer still begs the question of why the Romans did not find other means to confirm the brotherhood. If it was simply the fact that the Roman law of adoption did not apply to the creation of such a bond, then why was a new legal mechanism not invented to ratify it — if, indeed, such a personal attachment was pervasive in the society of the time? The question as to why ritual brotherhood has left so little trace in the records surely precedes questions concerning the presence or absence of legal forms in which such a formal relationship might be expressed.

Du Cange noted that the known examples of ritual brotherhood tended to be reported from among "the barbarian princes of the northern frontiers." He explained the peculiar location of the phenomenon by arguing that the adoption of another man as a brother or a son was undertaken not to promote legal

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ed., Carlo Alfonso Nallino, *Raccolta di scritti editi e inediti*, vol. 4: *Diritto musulamo, diritti orientali cristiani* (Rome, 1942), 585–631 [cited from the reprint edition].

Pitra, *Analecta* = Jean-Baptiste Pitra, ed., *Analecta sacra et classica spicilegio Solesmensi parata*, 8 vols. (Paris, 1876–91; repr. 1966–67).

Rallês and Potlês, *Syntagma* = Geôrgios Alexandros Rallês and Michaêl Potlês, Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων τῶν τε ἁγίων καὶ πανευφήμων ἀποστόλων καὶ τῶν ἱερῶν οἰκουμενικῶν καὶ τοπικῶν συνόδων . . . κ.τ.λ., 6 vols. (Athens, 1852–59; repr. Athens, 1966).

Zepos and Zepos, *Ius Graecoromanum* = Iohannes Zepos and Panagiotes Zepos, *Ius Graecoromanum*, 8 vols. (Athens, 1931; repr. Aalen, 1962).

Some of the views expressed here first appeared, though in much abbreviated form, as a review of John Boswell's book under the title, "A Groom of One's Own?" *The New Republic* (18 and 25 July 1994): 33–41.

[3] Du Cange, *Glossarium latinitatis* (Paris, 1668; repr. 1938), 10: 67–70. Two of the succeeding 'dissertations,' nos. 22 and 23, also contain relevant materials.

[4] Ibid., 67.

succession to property, but rather for reasons of amity and mutual protection.[5] Although Du Cange did not compose a separate 'dissertation' on *adelphopoiesis*, his lemmata on that word and related ones in his Greek dictionary show that he identified the 'making of a brother' (*adelphopoiesis*) with the 'adoption' of a man as one's own brother.[6] I think that Du Cange was right about the fundamental motives and causes for the peculiar temporal and spatial location of the attested cases of ritual brothers. In the investigation that follows, I suggest that this institution was more frequently found in the context of less formally organized and less centralized power relationships, such as those found in the interstices between the Greek *poleis* of the classical and Hellenistic periods and in the post-Roman societies of the early medieval West, or inside state structures characterized by less formal or less 'rationalized' relationships of amity. Because the evidence relating to the phenomenon is so patchy, the following analysis will necessarily focus on individual cases.

Adelphopoiesis signifies a type of ritual kinship, the creation of a relationship equivalent to that of a biological sibling. For two men artificially to become brothers is a distinctive act that should not be confused with analogous relationships of fictive friendship that are similar in mode or effect.[7] Ritual brotherhood strongly overlaps with other types of artificial kinship that imitate species of biological kinship, such as the creation of a new son or daughter by adoption or the creation of supplementary parents by godparenthood.[8] Ritual brotherhood is sometimes, although not always, separate from other ritualized types of amity in which one person becomes a 'made' friend of another (a *philos* in Greek, an

[5] Ibid., 67: "Il est indubitable que l'origine de ces adoptions soit en fils, soit en frère, ne doit pas estre puisée dans le droit romain, mais dans une pratique et dans un usage qui s'est observé de longtemps parmi les princes barbares et septentrionaux."

[6] Du Cange, *Glossarium graecitatis*, s.v. ἀδελφὸς πνευματικὸς, ἀδελφοποιητός, ἀδελφοποιΐα-ἀδελφοποίησις, ἀδελφοποίησις, ἀδελφοπιστία, ἀδελφότης πνευματικὴ, ἀδελφοσύνη, ἀδελφότης, 1: 23–25, where he glosses ἀδελφοποιία and ἀδελφοποίησις as *adoptio in fratrem*.

[7] A simple typological point that was emphasized long ago by Johannes Kohler, "Studien über die künstliche Verwandschaft," *Zeitschrift für vergleichende Rechtswissenschaft* 5 (1884): 415–40, at 434–35. Having dealt with artificial connections formed by various types of adoption in the first part of his paper, he continues: "An zweiter Stelle steht, gleichfalls mit der verschiedensten juristischen Wirkung, die Verbrüderung, die Blutbrüderschaft, die Adelphopoiie" (434).

[8] Gabriel Herman, "Le parrainage, 'l'hospitalité,' et l'expansion du christianisme," *Annales ESC* 53 (1998), forthcoming, on the continuity between the Greek and Roman social practices of *xenia* and *hospitium* and Christian godparenthood; cf. Lynch, *Godparents and Kinship*; Jussen, *Patenschaft und Adoption*; and idem, "Le parrainage à la fin du Moyen Age. Savoir publique, attentes théologiques et usages sociaux," *Annales ESC* 47 (1992): 467–502. *HF*, 10.27 provides a good example drawn from a social context that I shall be investigating in what follows.

amicus in Latin).[9] And these types of ritual relationships must further be distinguished from the widely documented practice of Christians of using models of kinship to interpret their relationship to God as their father and to each other as brothers and sisters.[10] This separation of ritual brothers (siblings, more generally) into distinctive types is made for analytic purposes, since the bonds of ritual kinship, including those of ritual brotherhood, were always locked into wider networks of social and economic relations that determined their function and valence in any specific situation.[11]

Although ritual brotherhood had much in common with adoption, it was not possible in the Roman law to create a brother by adoption. The technical words for adoption found in Greek legal documents of the Roman period from the eastern Mediterranean, however, reveal a strong terminological resemblance with the later terms for *adelphopoiesis*. In the Greek papyri from Roman Egypt, for example, the terms for adoption are based on the word *thesis* (θέσις) that signified the 'making' of such a person: for example, *huiothesia* (υἱοθεσία) meaning the 'making' of a son.[12] The artifically created son is also called a 'made' person, a *thetos* (θετός). In Greek-speaking lands outside Egypt, the usual words for adoption were derived from the verb *poiein* (ποιεῖν) meaning 'to make' or its passive form *poieomai* (ποιέομαι) 'to be made': thus the verbs *teknopoiesasthai* (τεκνοποιήσασθαι) meaning 'to be a made child' or *huiopoiesasthai* (υἱοποιήσασθαι) meaning 'to be a made son'.[13] The neologisms for the 'making' of a brother (ἀδελφοποίησις, ἀδελφοποιέω), which appear for the first time around the mid-fourth century in the explication of biblical texts, were modeled on existing terms for adoption.[14] The Christian model was provoked by the artificial

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[9] Gabriel Herman, *Ritualised Friendship and the Greek City* (Cambridge, 1987), remains the pathbreaking study on the subject for the world of antiquity.

[10] For example, Wayne A. Meeks, *The Origins of Christian Morality* (New Haven and London, 1993), esp. 170–72; and Robin Lane Fox, *Pagans and Christians* (New York, 1987), 324–25, and their references to modern studies (very few, alas). A thorough study of the practice is urgently needed.

[11] William A. Christian, *Person and God in a Spanish Valley* (Princeton, 1972; rev. ed. 1989), 177, for the triangular configuration in which these power relationships are represented.

[12] Marek Kurylowicz, "Adoption on the Evidence of the Papyri," *Journal of Juristic Papyrology* 19 (1983): 61–75; the Egyptian evidence is the best data for the everyday practice of adoption in the Roman world.

[13] Ibid., 61, n. 3.

[14] The earliest of these is Athanasius *Orationes contra Arianos iii*, *Or.* 2, 62.26 (PG 26, 280; A.D. 339); followed by pseudo-Chrysostom *De caeco et Zacchaeo* 35 (PG 59, 605); and *Epitimia 73*, 5.1 (Pitra, *Analecta*, 4: 461–64); for the Christian metaphor of adoption, see James M. Scott, "Υἱοθεσία: the Greco-Roman Institution and the Semantic Field," in *Adoption as Sons of God: An Exegetical Investigation into the Background of υἱοθεσία in the Pauline Corpus* (Tübingen, 1992), 3–57; G. H. R. Horsley, "καθ' υἱοθεσίαν," *New Documents Illustrating Early Christianity*, no. 88 (Melbourne, 1987), 173. Otherwise, the earliest example of a term

kinship bond established by baptism that made each person an adopted child of God and therefore the sibling of all other Christians.[15] The concept of a 'made' person who was created artificially by analogy with one who was biologically procreated was therefore the essential meaning of the words 'made' son, brother, daughter, or sister.[16]

Along with difficult, overlapping typological distinctions, another problem for any historical analysis of *adelphopoiesis* is that isolated historical documents present unusual problems of translating meanings, and meanings couched within meanings. A single example drawn from the texts of the Byzantine prayer books (*euchologia)* and from the *adelphopoiesis* ceremonials will have to suffice. In the various prayers and ceremonials for the 'making of a brother' the two men are encouraged 'to love each other' and to live all the remaining days of their lives 'without hatred' (ἀμισήτοι) and to live *askandalistôs* (ἀσκανδαλίστως).[17] The secular meaning of a *skandalon* can only be properly divined by understanding the social norms, the behaviors, and the power networkings of the

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close to ἀδελφοποίησις is the word ἀδελφοθετία found in a decree recorded on a bronze plaque concerning the Sicilian Greek polis of Entella: Laurent Dubois, *Inscriptions grecques dialectales de Sicile: contribution à l'étude du vocabulaire grec colonial* (Paris and Rome, 1989), no. 206, 257–65 (*Supplementum Epigraphicum Graecum* 30 [1980], no. 1119), 306–7, perhaps dating to the third century B.C.

[15] Scott, *Adoption as Sons of God*, esp. his general conclusions at 267.

[16] So matters have remained to the present day, especially in the context of the much stronger personal power relationships that exist outside the penumbra of the institutional apparatuses of state and society. Henry Hill recollects of his life in the American 'mafia': "The only way to guarantee that I'm not going to get ripped off by anybody is to be established with a member, like Pauli [viz., Paul Vario]. Somebody who is a made man. A member of a crime family. A soldier. Then, if somebody [messes] with you, they [mess] with him, and that's the end of the ballgame. Goodbye.": Nicholas Pileggi, *Wise Guy: Life in a Mafia Family* (New York, 1985), 55; for further notices of these 'made' men see 117–19; the artificial kin linkage thus created is conceived as potentially more significant than a biological father-son relationship (75: Pauli was Henry's 'real' father); the same terms are used in the Italian and Sicilian dialects of the 'old' mafia in Italy, see, e.g., Pino Arlacchi, *Men of Dishonor — Inside the Sicilian Mafia: An Account of Antonino Calderone*, trans. Marco Romano (New York, 1992), 51, 68–69: creating a 'made' man is a way of renewing 'the family.'

[17] The text of the four manuscripts reported by Boswell, *SSU*, 345–47, 351–63, reads:

(i) καὶ δὸς αὐτοῖς τὸ ἀγαπᾶν ἀλλήλους ἀμισήτως καὶ ἀσκανδαλίστως πάσας τὰς ἡμέρας τῆς ζωῆς αὐτῶν (Grottaferrata Γ.β. II);

(ii) Ὑπὲρ τοῦ διαφυλαχθῆναι τὴν ἀγάπην ἀμίσιτον καὶ ἀσκανδάλιστον μέχρι βίον ζωῆς αὐτῶν, τοῦ Κυρίου δεηθῶμεν (Vaticanus Graecus 1811 [1147]);

(iii) δῶς αὐτοῖς χάριν τοῦ ἀγαπᾶν ἀλλήλους, ἀμισήτους καὶ ἀσκανδαλίστους εἶναι πάσας τὰς ἡμέρας τῆς αὐτῶν . . . ἀνάδειξον καὶ ἐν μέσῳ αὐτῶν γενέσθαι καταξίωσον ἀσκανδαλίστους αὐτοὺς ἐκ τῶν μεθοδιῶν τοῦ διαβόλου καὶ τῶν πονηρῶν αὐτοῦ πνευμάτων . . . (Sinai 966);

(iv) δὸς αὐτοῖς, Κύριε, τοῦ ἀγαπᾶν ἀλλήλους ἀμισήτους καὶ ἀσκανδαλίστους εἶναι πάσας τὰς ἡμέρας τῆς ζωῆς αὐτῶν (Mt. Athos Panteleimon 780).

persons involved in the ceremony. If *skandalon* means 'ambush' then the wording of the ritual would seem to indicate that it was concerned with reconciling potential personal enemies; with preventing men who would otherwise be hostile to each other from setting traps for one another.

These basic observations suggest a social context for ritual brotherhood in which central political power was weak, with the consequence that the settlement of serious disputes by personal violence was normal. Such a violent society would be like that of post-Roman Gaul as reported by Gregory of Tours. Gregory has frequent recourse to the word *scandalum* and related terms.[18] Although the words do sometimes indicate a shameful moral wrong, such instances are rare when compared with the normal meaning in Gregory, which is manifestly that of physical aggression against another. Typical examples of what is commonly thought of as a 'scandal' in this society range from a solitary attack by one individual on another, such as a stepmother physically abusing her stepson, to an outbreak of war between two large ethnic groups, such as that which occurred between the Alemanni and the Suevi in Galicia in the first decade of the fifth century.[19]

Gregory also used *scandalum* to refer to embittered quarrels and feuds between two men and their respective followers. When the inhabitants of Carcassonne forcibly ejected king Guntrum's men from the city, it was a *scandalum*.[20] When envoys sent to Guntrum by his nephew Chilperic threatened "to split open the heads" of Guntrum and his brothers, and when the king responded by having rotten horse dung flung on their heads as they departed, this, too, was a 'scandal'.[21] A *scandalum* usually involved some combination of physical threats and actual harm, like kidnapping, the destruction of property, or even assassination and murder.[22] A classic scandal described by Gregory of Tours involved a feud between two families that ended with the loss of the lives of all members

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[18] Denise St.-Michel, *Concordance de l'"Historia Francorum" de Grégoire de Tours*, 2 vols. (Montreal, 1984), 2: 912 (thirty-two instances). The word has both a Christian hue of moral wrong and a secular sense used to describe violent social relationships in a highly disintegrated society. It is not found in the vocabulary of the classical historians from Tacitus to Ammianus Marcellinus. Gregory of Tours, however, is not alone in the latter usage for the society of his time; it is also found in the sermons of Caesarius of Arles (e.g., *Serm.* 13.3; 19.3; 35.4; 35.5; among seventeen cases).

[19] *HF* 3.5 and 2.2 (see 3.27 for one of the rare 'moral' usages); the translations that I have consulted seem to be strongly influenced by the modern English connotations of 'scandal' and so fail consistently to catch the central place of physical violence, and the atmosphere of feuding and ambush, that are the manifest basis of Gregory's usage.

[20] Ibid., 8.30.

[21] Ibid., 7.14.

[22] Ibid., 2.36; 4.12; 4.28; 6.10; 6.22; 8.13; and 10.4, for some examples.

of both families.[23] In describing the artificial kinship arrangements that were undertaken to neutralize these hostilities, such as Guntrum's baptism of his nephew in order to 'create a son' for himself, Gregory refers to *scandalum* as the principal danger to be overcome.[24] So, too, the detailed descriptions of the personal agreements that counted as 'treaties' in this world, including the 'brotherhood' (*caritas*) formed at Andelot between kings Guntrum and Childebert in 587, emphasize *scandala*, the dangers of ambush and assassination, as the main threats that these agreements were meant to countervail.[25] In discussing the nature of the *amicitia* that he had forged, Guntrum was concerned about the atmosphere of suspicion that prevailed between himself and his nephew Childebert; he voiced the hope that he could also mediate the *scandalum* or bitter feud that existed between his other nephew, Lothar, and Childebert.[26]

In order to establish more clearly the historical context in which sentiments of brotherly love are invoked in the creation of ritual brothers, one might begin with a preliminary hypothesis that certain types of social organization are concatenated with different types of emphasis placed on personal power. Social systems, like kinship, that privilege direct personal linkages as their primary mode of organization, are more likely to interpret power in personal terms. Societies in which personality is itself a significant force in creating the main power systems must be distinguished from those in which institutionalized forms of power define and maintain the social order — as in the cases of the Greek polis or the Roman state in the periods of their fullest development.[27] Social systems that fundamentally empowered personal linkages would be more likely to preserve records of ritual brothers or sisters, whereas in more institutionalized societies these personal arrangements would exist, if at all, in social situations beyond the purview of the state, and would therefore not tend to receive much attention in the formal texts produced by the high culture's literary elites.

A standard encyclopedia entry by James Hamilton-Grierson on the historical

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[23] Ibid., 10.27.

[24] Ibid., 10.28.

[25] Ibid., 9.20: the agreement is struck "ut omnia quae undecumque inter ipsos scandalum poterant generare, pleniori consilio definirent." Compare the earlier case of A.D. 533 (3.15) where the agreement between Theuderic and Childebert was founded on oaths that they would not attack each other. They took hostages to ensure that their promises would be kept. Despite these arrangements, a new *scandalum* broke out. Note that in the Latin of the time *caritas* was often understood to signify *fraternitas* or 'brotherhood'; on how the one term came to substitute for the other, see David, "Sur les traces," esp. 114–15, 116.

[26] *HF* 9.20: "Tamen si eum scandalizat illud, quod legatos Chlotharii nepotis mei suscipio: numquid demens sum, ut non possim temperare inter eos, ne scandalum propagetur?"

[27] Brent D. Shaw, "Tyrants, Bandits and Kings: Personal Power in Josephus," *Journal of Jewish Studies* 44 (1993): 176–204; and idem, "Josephus: Roman Power and Responses to It," *Athenaeum* 83 (1995): 357–90.

and ethnographic evidence concerning the formation of ritual brothers noted long ago that "not infrequently we are supplied with full details of the ceremonies performed, while we are left wholly in the dark as to the legal incidents of the bond. In other cases, we are told what is its operation, but not a word is said as to the ritual accompanying its formation."[28] This is precisely the problem that bedevils interpretation of the best evidence on ritual brotherhood from the classical and late antique Roman worlds. For example, although there were surely many gestures, such as the sharing of arms and the drinking of blood, involved in the formation of this male bond, a wide range of sources outside the *adelphopoiesis* texts seems to indicate that the most significant bodily gestures connected with the formation of ritual brotherhoods were the handshake (or ritual embrace) and the kiss. In theory, two Roman men could have employed some or all of these gestures to aid in the forming of a bond of ritual brotherhood. But gestures such as these are never reported as part of the formation of artificial sibling links between men who lived in the core areas of Roman society during the period of the efflorescence of imperial state power. Instead, rituals like these are normally portrayed as assisting in the formation of close connections between men in 'primitive' early Rome or in non-Roman 'barbarian' societies at the periphery of the empire. The gestures are therefore reported as part of social relationships either in the early formative phases of Roman society or in societies on the frontiers of the Roman Empire. In an imagined primitivism, Livy envisaged the beginnings of Roman society as traced back to the close personal bonds forged between Latinus and Aeneas. The grasping of right hands was the vital sign of the trust in a future friendship between the two men. Following the handshake, Aeneas entered into the *hospitium* of Latinus, and the relationship was sanctioned publicly by the joining of the two households by the offer of Latinus's daughter to Aeneas in marriage.[29] By the late republic and early empire, however, the practice of two Roman men becoming ritual brothers, if it had ever existed, could not even be imagined in literary fictions about early Roman social relations. Vergil and Livy labeled such ritual male bonds as species of *hospitium*, *amicitia*, or *clientela*, but they provide no information about the ritual itself.

Ritual brotherhoods of the type we are considering did exist at the time when Vergil and Livy were writing, but were to be found in the 'barbarian' societies beyond the northern frontiers of the Roman Empire. Thus Caesar reports that artificial sibling relationships were formed between the Gallic Aedui and the

[28] Hamilton-Grierson, "Brotherhood (Artificial)," 857–71, at 869.

[29] Livy *Ab urbe condita* 1.1.8: "Dextra data fidem futurae amicitiae sanxisse. Inde foedus ictum inter duces, inter exercitus salutationem factam; Aenean apud Latinum fuisse in hospitio: ibi Latinum apud penates deos domesticum publico adiunxisse foedus filia Aeneae in matrimonium data."

Romans, with the result that the Romans and the Aedui treated each other as 'brothers'.[30] It was this *fraternitas* to which the emperor Claudius later appealed when he wanted to persuade senators to grant the Aedui the right to hold office in the Roman state.[31] The propensity of the Gauls, the Germans, and other men of the northern frontiers to form fraternal bonds is also reported in an ethnological text on 'otherness' attributed to the Syriac nobleman and philosopher Bardaisan (Bardasanes) of Edessa, which Eusebius includes in his *Praeparatio Evangelica*, a text probably written by 'pseudo-Bardasanes' in the later third century. Using the existence of strongly divergent customs amongst 'barbarian' and civilized peoples as a means of arguing against the universalizing claims of astrology, the author illustrates his argument with examples of marital and sexual mores. Speaking of the Gauls, he notes:

> Among the Gauls, the young men marry each other (*gamountai*) with complete freedom. In doing this, they do not incur any reproach or blame, since this is done according to custom [law] amongst them. For it is not possible that all the men in Gaul who make these ungodly assaults on each other do so because they were all born under the same sign. . . .[32]

In translating his synopsis of Bardaisan's argument, Eusebius reiterates that this type of male bonding is a defining cultural characteristic of the Gauls; just as it was a defining cultural practice for the Greeks to exercise in the nude and for Romans to dominate other people, so it was normal for young Gallic men 'to marry' each other.[33] The original Syriac text of pseudo-Bardaisan makes the claim explicit:

> In the countries of the north . . . in the lands of the Germans and those of their neighbors, handsome [noble] young men assume the role of wives [women] towards

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[30] Caesar *BG* 1.36: "si id non fecissent, longe eis fraternum nomen populi Romani afuturum"; 1.44: "Quod fratres a senatu Aeduos appellatos diceret."

[31] Tac. *Ann.* 11.25.1: "Datum id foederi antiquo et quia soli Gallorum fraternitatis nomen cum populo Romano usurpant."

[32] A striking text not noted by Boswell, *SSU* (or by the studies upon which he depended), but one that deserves to be brought into the general argument, is Euseb. *Praep. Evang.* 6.10.27: παρὰ δὲ Γάλλοις οἱ νέοι γαμοῦνται μετὰ παρρησίας, οὐ ψόγον τοῦτο ἡγούμενοι διὰ τὸν παρ' αὐτοῖς νόμον. καὶ οὐ δυνατόν ἐστι πάντας τοὺς ἐν Γάλλιᾳ οὕτως ἀθέως ὑβριζομένους λαχεῖν ἐν ταῖς γενέσισι . . . . *Eusèbe de Césarée, La préparation évangélique,* livres V.18–36; VI, trans. Edouard des Places, *SC* 266 (Paris, 1980), 222. The translator provides women for the Gallic youths to ravish ("En Gaul, les jeunes gens servent des femmes en toute licence . . . les Gaulois à ne pas servir de femmes"). But the verb *gamêo* is in the passive voice and its meaning is explicit; there is no mention of women in the text, and the sense of moral outrage that surrounds the other cases discussed by Eusebius would be nonsensical if the young men were just 'servicing' women. In fact, Eusebius's Greek is faithful to the Syriac original (n. 34 below).

[33] Euseb. *Praep. Evang.* 6.10.35: καὶ οὐκ ἀναγκάζει ἡ γένεσις . . . τοὺς Γάλλοις μὴ γαμεῖσθαι . . . .

> other men, and they celebrate marriage feasts. This is not considered shameful or disgraceful amongst them, because their customs [laws] permit the practice. But it is not possible that all the men who live in Gaul, and who are disgraced by this shame, were those who were born when Mercury was in conjunction with Venus in the house of Saturn, in the field of Mars, and in the signs of the Zodiac of the west — since it is written that men who are born under these astral influences will be reviled as shameful and treated as if they were women.[34]

Pseudo-Bardaisan thus retails a practice of forming close ritual bonds amongst males on the northern frontiers whom he broadly labels as 'Germanic' — indeed, specifically among them and not among other peoples, as he is at pains to point out. To outsiders, like pseudo-Bardaisan, the intense nature of the bonds, as well as the manner in which they were ritualized, made them seem like a kind of marriage. The connections were also reputed to involve a sexual component that men like pseudo-Bardaisan regarded as shameful.

The only explicit examples of ritual brothers in Greek and Latin sources are indeed ones like these that are attested for societies on the northern frontiers of the empire or in the post-Roman societies that emerged in the process of the disintegration of Roman power in the West. The kinship connections amongst the elites of the Roman state in the West in this period are known for some thousands of individual cases. The data relate to persons connected with various court circles, both Roman and 'barbarian', and hence they offer some detail on how these powerful persons negotiated their interpersonal dealings. Where literary and documentary records on them survive, such connections were ordinarily cemented through intermarriage and, on rarer occasions, by adoption, but not by any kind of ritual brotherhood. The problem is created by the nature of the surviving evidence: ritual brotherhoods were likely to have been struck between men located at more modest levels of power, or in the context of the domination of a different type of state power (one dominated, for example, by strong 'vertical' relationships of amity). Instances of ritual brothers that have survived in the existing literary sources are therefore rare, if only because the authors of the narratives did not have an interest in such local behavior.

One of the rare recorded descriptions of the brotherhood bond is found in Gregory of Tours. He reports under the year 587:

> After having murdered Chramnesindus's relatives, Sicharius formed a pact of great friendship with him — they loved each other with such affection that they often

[34] Han J. W. Drijvers, *The Book of the Laws of the Countries: Dialogue on Fate of Bardaisan of Edessa* (Assen, 1965), 48–49; Victor Langlois, ed. and trans., *Le pseudo-Bardesan. Le livre de la loi des contrées*, in *Fragmenta Historicorum Graecorum*, vol. 5.2 (Paris, 1872), 73–94, at 86; for the Syriac text, see François Nau, *Bardesanes: Liber Legum Regionum = Patrologia syriaca* 1.2 (Paris, 1907), 490–658, and his *Le Livre des Lois des Pays*, 2nd ed. (Paris, 1931); the text is thought to have been written by Bardaisan's pupil Philippus: see Javier Teixidor, *Bardesane d'Edesse. La première philosophe syriaque* (Paris, 1992), 86–102.

> took their meals together and slept together in the same bed. One day, towards evening, Chramnesindus was having his supper prepared and invited Sicharius to dine with him. Sicharius arrived and the two men sat down together to eat. Sicharius became drunk with wine and began to hurl words of abuse at Chramnesindus. In the end, he is reported to have said, "My dearest brother, you owe me a lot of thanks for murdering your relatives. Since I made recompense to you for what I did to them, you now have plenty of gold and silver in your house. If this settlement hadn't strengthened your affairs a bit, you'd still be bare and needy." When he heard Sicharius's words, Chramnesindus took them bitterly. "If I don't avenge my relatives," he said to himself, "I won't deserve to be called a man, but rather a weak woman." As soon as the lights were put out, he split Sicharius's head in two. . . . Chramnesindus stripped the clothing from Sicharius's body and hung the corpse on a stake in his fence . . . he then fled to the district (*pagus*) of Bourges from which his own relatives came. . . . Tranquilla, Sicharius's wife, abandoned her children and her husband's property in Tours and in Poitiers, and went to join her own relatives in the village (*vicus*) of Pont-sur-Seine. There she married again. Sicharius was only about twenty years old when he died.[35]

The text is rich in implications for gender and power. The story is connected to a narrative about a feud involving two families in Tours that Gregory began earlier under the year 585.[36] The feud was sparked by the inadvertent killing of a priest's slave in the midst of Christmas celebrations. Sicharius felt obliged to intervene on the priest's behalf because of his ritual friendship (*amicitia*) with the cleric. His violent intervention led only to further killing, including the followers of Chramnesindus. Gregory finally intervened as mediator, frequently invoking divine injunctions to make peace. But the feud continued with violence involving the families, relatives, friends, and dependents of both men. An end to the fighting was finally negotiated and "both parties swore an oath that they would never make further trouble against each other."[37]

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[35] *HF* 9.19: "Bellum vero illud, quod inter cives Toronicus superius diximus terminatum, in rediviva rursum insania surgit. Nam Sicharius, cum post interfectionem parentum Chramsindi magnam cum eo amiciciam patravisset, et in tantum se caritate mutua diligerent, ut plerumque simul cibum caperent, ac in uno pariter stratu recumberent, quadam die coenam sub nocturno tempore preparat Chramsindus, invitans Sicharium ad epulum suum . . . ad extremum dixisse fertur: 'Magnas mihi debes referre grates, o dulcissime frater, eo quod interficerim parentos tuos. . . . Haec ille audiens, amaro suscepit animo dicta Sichari, dixitque in corde suo: 'Nisi ulciscar interitum parentum meorum, amittere nomen viri debeo et mulier infirma vocare.' Et statim extinctis luminaribus, caput Sichari seca dividit. . . . Chramsindus exanimum corpus nudatum vestimentis adpendit in saepis stipite. . . . At ille . . . Vosagensim territurii Biturigi pagum expitiit, in quo [et] eius parentes degebant. . . . Tranquilla quoque, conjux Sicharii, relictis filiis et rebus viri sui in Toronico sive in Pectavo, ad parentes suos Mauriopes vicum expetiit; ibique et matrimonio copulata est. Obiit autem Sicharius quasi annorum viginti."

[36] Ibid., 7.47.

[37] Ibid., 7.47 fin.: "Tunc datum ab aeclesia argentum, quae iudicaverant, accepta securitate conposuit, datis sibi partes invicem sacramentis, ut nullo umquam tempore contra alterum pars alia musitaret. Et sic altercatio terminum fecit."

Here is a classic example of a 'made' brother. The two young men address each other as 'dearest brother', claim great affection for each other, eat together, and sleep with each other in the same bed.[38] Yet the explicit gender content of the story cautions against reading its words in too modern a sense. Sicharius was married, and had a wife and children. It was also by the standard honor code of vengeance and violence that he judged his own standards of manhood and virility. The bonds of ritual brotherhood and the benedictions offered by the local bishop might well be very powerful, but neither was worth maintaining when set against the insults of Sicharius. These aspects of the male bond would suggest that there were real constraints on the possible gender content of the ritual brotherhood that limited its parameters to quite traditional canons of 'being a man' and 'being a woman' in the brutal post-Roman society of the Franks. The defining social context is that of personal violence and feuding in Frankish society.[39] Here, ritual brotherhood is a bond formed between men who were potential enemies and had every reason to be quite suspicious of the traps and ambushes that one would prepare for the other. The problem for the historian is that the brotherhood of Sicharius and Chramnesindus is a solitary instance, and one not paralleled in the earlier literature of the high Roman Empire — the level and types of social interaction being reported were presumably beneath those that would be considered as historically worthy of memory by a Tacitus or an Ammianus.[40]

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[38] These characteristics are precisely replicated in a fictional ritual brotherhood described by the Serbian novelist Janko Veselinovic: Kretzenbacher, *Rituelle Wahlverbrüderung*, 15–16.

[39] Gabriel Monod, "Les aventures de Sichaire. Commentaire des chapitres xlvii du livre vii et xix du livre ix de l'*Histoire des Francs* de Grégoire de Tours," *Revue historique* 31 (1886): 259–90; John Michael Wallace-Hadrill, "The Bloodfeud of the Franks," in *The Long-Haired Kings and Other Studies in Frankish History* (London, 1962), 121–47, at 139–42; Ralph W. Mathisen, "The Final Resolution: Aristocratic Options in Post-Roman Gaul," in *Roman Aristocrats in Barbarian Gaul: Strategies for Survival in an Age of Transition* (Austin, 1993), 132–43, at 141.

[40] Erich Auerbach, *Mimesis: The Representation of Reality in Western Literature*, trans. William R. Trask (Princeton, 1957/1971), 77–95, at 84; cf. 85: "An earlier antique author, then, would not have treated this story at all"; and 87: "A scene, then, which no antique historian would have considered worth representing, Gregory represents in a most graphic manner." Auerbach's claim is only partially true, and depends on the relationship of the historian to the power system. It is certainly not true of Herodotus, who does retail colorful stories about such fictive kinship rituals — see, e.g., Hdt. 1.74.6 (Medes and Persians), 4.70.1 (Skythians). I would also have to dissent from Auerbach's essentializing claims about 'barbarian psychology' in which he presents the persons involved as having no consciousness of past and future, and hence no consciousness of the true meaning of their own social institutions: "It seems that the two had honestly become such close friends that, their consciousness being alive only to the passing moment, it never occurred to them how unnatural and dangerous such a friendship really was." Quite the reverse, such a friendship was not 'unnatural' by any reasonable standards of the society concerned, and the participants were surely well aware of its relationship to danger.

However common ritual brothers might have been amongst the Gauls and the Germans, Roman men were averse to this type of personal power in the formal structures of their own state and society. The ritual and the bond were re-read in order to turn the relationship into a formal diplomatic one between the men or the social group concerned and the Roman state: the men became 'brothers' of the *populus Romanus*. The upward 'seepage' of ritualized relationships like brotherhoods to the level of the state tended to occur in periods when Roman central state power was weak and the state was not dominated by its institutional apparatuses. As a rule, therefore, ritual brotherhood was an exceedingly rare phenomenon in the civic heartlands of the empire. But there is a peculiar historical conjuncture that can provide the historian with a glimpse of the considerable significance that bonds of ritual brotherhood could have before they were finally 'trumped' by the formal institutions of a restored state.

The occasion was the ritual bonding of the men, all from Danubian frontier lands, who formed the so-called 'First Tetrarchy': Diocletian, Maximianus, Constantius, and Galerius.[41] The famous statuary groups of the four dynasts, one now found at St. Mark's in Venice and another in the Vatican, in which each man is portrayed ritualistically embracing the other, are perhaps the most striking contemporary iconographic representations of the formation of their ritual brotherhood. Given the attestation of ritual brotherhoods in the Danubian regions from which the men originated, the type of personal link they used to form their *junta* is both logical and significant. In forging their mutual bond, Maximianus was adopted by Diocletian. Since the ritual was that of adoption, most scholars have simply postulated that Maximianus was adopted as Diocletian's son.[42] The evidence of the literary sources, epigraphy, and the papyri, however, is decisive. Maximianus was not adopted as Diocletian's son, but rather as his *frater*. Indeed, Maximianus's position as fellow 'Augustus' or partner of Diocletian corresponds directly with his adoption as Diocletian's 'brother'.[43]

As we shall see, the formation of such a bond was illegal in the Roman law of the empire over which Diocletian ruled; perhaps more ironic and paradoxical is the fact that Diocletian himself (and close to the time that he adopted Max-

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[41] For citation of the relevant primary evidence on their origins, see Timothy D. Barnes, "The Careers and Families of Emperors," in *The New Empire of Diocletian and Constantine* (Cambridge, Mass., 1982), 30–46.

[42] So William Seston, *Dioclétien et la Tétrarchie, 1. Guerres et réformes (284–300)* (Paris, 1946), 64–65, echoing many others, and followed by many others since; but he is refuted, correctly, by Frank Kolb, *Diocletian und die Erste Tetrarchie. Improvisation oder Experiment in der Organisation monarchischer Herrschaft*? (Berlin and New York, 1987), 44–47.

[43] P. Lond. 710 (A.D. 287); Lact. *Mort. Pers.* 8.1: 'frater eius [sc. Diocletiani] Maximianus'; *Pan. Lat.* 6 (7).15.6: 'ab eo [sc. Diocletiano] fuerat frater adscitus'; see, further, *Pan. Lat.* 7 (6).9.5; 6 (7).15.2; 11 (3).7.6–7; and 7 (6).11.2.

imianus as his 'brother') issued a rescript confirming the illegality of the practice. Given the violent frontier society out of which Diocletian and his peers emerged, however, such legalities, for the moment, came second to their need to deploy the most powerful means they could to form dependable personal bonds of trust.[44] The formation of a ritual brotherhood by adoption not only clashed with Roman law concerning adoption, but also with imperial ideology, which had, over centuries, portrayed the adopted successor of the emperor as his *filius*. With the stabilization of the Tetrarchy and institutionalization of the new regime, therefore, it is not surprising that the brief appearance of this peculiar frontier relationship ceded to types of imperial images and kinship relationships that were more concordant with the traditional institutions and practices of the Roman state.

From a Roman perspective, the bonding of the Tetrarchs as adoptive 'brothers' was an exception.[45] Accounts of ethnic groups located along the northeastern frontiers of the Roman empire, generally called 'Skythian', describe relationships of ritual brotherhood as typical of these societies.[46] Relationships struck between 'Skythians' and leaders of the late Roman state were themselves marked by personal symbolic ties and by the typical gestures that were part of forging personal, contractual relationships.[47] The historian Priskos reports a typical case involving an agreement concluded in 451 between an enterprising Christian bishop from Margus in Moesia and various 'Skythian' chieftains. "When they had given the bishop their right hands (*dexia*) and sworn oaths for the things promised, he returned to the lands of the Romans with a great military force under his command and acquired the city of Margus for the Skythians."[48] Typical

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[44] Modern day historians remain puzzled over the reasons for the use of the 'adoption of a brother' mechanism by Diocletian and his colleagues, and for its subsequent abandonment in favor of a father-son ideology. Being unaware of the social practice of ritual brotherhood, they attempt to interpret the significance of the bond from a central Roman perspective. But the problem is not so much one of Diocletian 'experimenting' with various alternatives or 'keeping his options open' (Kolb, *Diocletian und die Erste Tetrarchie*, 45), as it is one of an evolutionary development. After the Danubian big men had seized control of the state, they eventually adopted its ways.

[45] *HF* 2.12; 3.15; 5.16, 38, 49 fin.; 7.38. Note that all the salient acts and rituals are found in similarly structured societies at an earlier date in the eastern Mediterranean; see Shaw, "Tyrants, Bandits and Kings" (n. 27 above), esp. fig. 1, 203.

[46] The term 'Skythian' is deliberately anachronistic and 'classicizing' among the writers of the period. The peoples to whom they are referring could be Tervingi, Greuthungi ('Goths'), Alans, Heruls, Taifali, Gepids, Sarmatians, and other transdanubian peoples of the time.

[47] Dietrich Claude, "Zur Begründung familiärer Beziehungen zwischen Kaiser und barbarischen Herrschern," in Evangelos K. Chrysos and Andreas Schwarcz, eds., *Das Reich und die Barbaren* (Vienna and Cologne, 1989), 25–56.

[48] Priskos, frg. 2 (Dind. 280–81) = Blockley, frg. 6.1 (230–31): οἱ δὲ ἔφασαν πάντα ποιήσειν τὰ ἀγαθά, εἰ τὴν αὐτοῦ ἄγοι ἐς ἔργον ὑπόσχεσιν. δεξιῶν τε καὶ ὅρκων ἐπὶ τοῖς εἰρημένοις δοθέντων, μετὰ βαρβαρικῆς πολυπληθίσας ἐς τὴν Ῥωμαικὴν ἐπάνεισι γῆν . . . .

of more elaborate 'ethnographical reports' on Skythian society, however, is the description contained in the work entitled *Toxaris* or *On Friendship (philia)* that was composed by the second-century Greek writer Lucian.[49] It is a fictitious dialogue between a Greek called Mnêsippos and a Skythian named Toxaris on the subject of 'friendship' (*philia*) between men.[50]

Mnêsippos begins with examples of friendship (*philia*) between men in the Greek societies of his world. The friendships enabled them to achieve what Mnêsippos sees as extraordinary acts of altruism. Such accomplishments included marrying an ugly wife without a dowry, giving money to the daughter of a friend on her marriage, and sharing a period of temporary imprisonment. When the Skythian Toxaris gives examples of male *philia* in his own society, however, he begins by noting that the Greeks "have no great occasions at all" on which to display their *philia* (that is to say, 'friendship' in the sense in which he, a Skythian, understands the relationship) because the Greeks live in conditions of 'profound peace' (*eirene batheia*). The Skythians on the other hand are constantly involved in war and fighting. The words of Toxaris are worth quoting because they provide a clear description of the sort of ritual brotherhood recorded in the later rituals of *adelphopoiesis*:

> First of all, I wish to tell you how we make our friends. It is not through sharing strong drink (like you people do), nor because a man has shared cadet training with us (*synephebos*), nor simply because he's our neighbor. No. When we see a brave man capable of achieving great things, it's then that we all become eager to get close to him. And just as you behave when you are trying to get married, we think it right to behave in this same way in forming friends — wooing them at great length and with much effort, and doing everything to ensure that we do not lose their friendship and are rejected. Then when the decision has been made to accept someone as a friend (*philos*), an agreement is made and a great oath is sworn that we will live together and, if necessary, even die for each other. We actually do this. For when we have cut our fingers, let the blood drip into a cup, dipped our sword points into it, and then, together, both at the same time have raised it to our lips and have drunk, there is nothing that happens afterwards that can possibly break the link between us. We are allowed to enter into three such alliances at most, since we think that a man who has [too] many friends (*polyphilos*) is like common and adulterous women, and we consider that the strength of his friendship is no longer the same when it has been split between [too] many loyalties (*pollai eunoiai*).[51]

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[49] Christopher P. Jones, *Culture and Society in Lucian* (Cambridge, Mass., 1986) for the cultural background of Lucian, esp. 56–58, specifically on the *Toxaris*; Michaelides-Nouaros "Peri tês adelphopoiias," 269–72.

[50] David Konstan, *Friendship in the Classical World* (Cambridge, 1997), with reference to earlier studies.

[51] Lucian *Toxaris*, 37; cf. Herman, *Ritualized Friendship*, fig. 7 for a pictorial representation of the rituals that involved drinking from a common cup.

Of course, this is a distorted 'colonialist' fiction — a Greek writer trying to imagine 'what the barbarians do' — and therefore a literary interpretation of the realities of Skythian life. But there is enough in the account to suggest that the fictional Skythian speaker is referring to an intense social bond formed between powerful men coping with the lack of formal institutions in their society and with the violence that pervaded it. He likens the actions undertaken by Skythian men in forming the bond to the sorts of rituals used by the civilized and peaceful Greeks in wooing the women whom they seek as wives. Skythian 'friendship' is not marriage itself, since most of the men already have wives and children. Toxaris's third story of such an alliance involves three men who assist one of their friends in his pursuit of a marriageable woman.[52] Toxaris states that these alliances were formed mainly for personal protection and for the deployment of violence: staging raids, laying ambushes, seeking vengeance; protecting herds, pasture lands, and wagons; and defending one's community. He gives examples of how the ritual link enabled men to marshal the resources of relatives, kin, and other friends in order to assemble whole armies, and to use the power of blood rituals, compacts, promises, and exchanges of tokens as a way to control resources vital to their survival.[53]

Ritual Brotherhood and Adoptive Kinship

A difficulty with any analysis of ritual brotherhood is that other forms of artificial bonds — ritual friendship, adoption, and coparenthood — overlapped so strongly with that of ritual brotherhood that the terminological boundaries between them were not always clearly distinguished. For example, the rituals of adoption could be used primarily to create close collateral links between the natural and adoptive parents rather than to establish a kinship link between the adoptive parent and the child. Because the adoption produced a link between two persons that was structurally homologous with that of siblingship, the natural parents and the new artificial parents (i.e., the coparents) were closely linked to each other as kin and as equals. When the link involved two men, the relationship produced was akin to that of a ritual brotherhood.

An example of the use of adoption as a means by which Roman and non-Roman men of power could be joined for political and military purposes is provided by the adoption of the younger son of a fifth-century Frankish king (Merovech?) by the Roman general Aëtius. In a succession crisis following the father's death, the elder son called on Attila as his ally, while the younger son appealed to Aëtius. The historian Priskos reports of this younger son:

[52] Lucian *Toxaris*, 44–55.
[53] Ibid., 7, 35–36, 39, and 63.

> This son was the one whom I saw at Rome when he was on an embassy to the city. He did not yet have a beard, but his blond hair was so long that it cascaded over his broad shoulders. Aëtius made him his adoptive son (*thetos . . . pais*) and, together with the emperor, showered him with gifts and sent him away in friendship and alliance.[54]

Arrangements between two men, whereby each would treat the other's sons as his own, are also known, but they seem to derive mainly from peripheral regions of the empire during periods when the central authority of the Roman state was in an advanced state of disintegration. In rural Brittany in the 560s–570s, two chieftains, Macliavus and Bodicus, "swore an oath to each other that whoever outlived the other would take care of the dead man's sons as if they were his own."[55] Such arrangements, which effectively made the men artificial coparents, were primarily found in violent marchlands of the empire. Occurring in a milieu of pervasive suspicion and threats of violence, these artificial relationships were intended to supplement existing family connections: both men were married and had sons.[56] In this case, Macliavus violated the oath on Bodicus's death, which led to a long and violent feud between the two families — more precisely, between the sons once held in common. The lateral associations of adoptive kinship, ritual coparenthood, and ritual brothering suggest the need to understand adoption and adoption terminology in the Roman world within the larger context of all three artificial kinship links.[57] This is especially necessary where the writers of our literary histories might well misunderstand or misconstrue the balance or overlap between the three forms of artificial kinship.

At the highest levels of the Roman state, adoption was a strategy frequently

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[54] Priskos, frg. 16 (Dind. 329–30) = Blockley, Book 5, frg. 20.3 (306–7); ὃν κατὰ τὴν Ῥώμην εἴδομεν πρεσβευόμενοι μήπω ἰούλου ἀρχόμενον, ξανθὸν τὴν κόμην τοῖς αὐτοῦ περικεχυμένην διὰ μέγεθος ὤμοις. θετὸν δὲ αὐτὸν ὁ Ἀέτιος ποιησάμενος παῖδα καὶ πλεῖστα δῶρα δοὺς ἅμα τῷ βασιλεύοντι ἐπὶ φιλίᾳ τε καὶ ὁμαιχμίᾳ ἀπέπεμψεν. Note that Aëtius was already an *amicus* or ritual friend of the Huns (*HF* 2.8).

[55] *HF* 5.16: "In Brittanis haec acta sunt. Macliavus quondam et Bodicus Brittanorum comites sacramentum inter se dederant, ut, quis ex eis superviveret, filius patris alterius tamquam proprius defensaret."

[56] The region was one of endemic banditry, even when measured against the violent standards of Merovingian society; see *HF* 9.18.

[57] Consider Christopher Boehm, *Blood Revenge: The Enactment and Management of Conflict in Montenegro and Other Tribal Societies* (Lawrence, Kan., 1984; repr. Philadelphia, 1987), 137: the report of an artificial brother-making ceremony in Montenegro in 1890 (typical of many ethnographic field reports): "This did not conclude the ceremony. After the feast the godfatherhoods and blood-brotherhoods had to be concluded, and we discover that great blood-brotherhoods are relationships in which the same men become simultaneously blood brothers and godfathers to one another. The point of creating these ritual kinship ties, between men who were not kinsmen by blood, was perfectly obvious to the Montenegrins. It was to cement positive bonds between members of two clans . . . ."

employed by the imperial family to ensure the devolution of power and property.[58] Among ordinary persons, the evidence, though surprisingly scant, indicates that adoption was used for much the same purposes.[59] But the problem is complicated by the fact that even within the empire itself there were strongly divergent practices in the forms and the aims of adoption. There is, for example, little overlap between the institution of adoption as attested in the papyri of Roman Egypt and the Roman legal institution of adoption in either of its forms (*adoptio* or *adrogatio*).[60] A passage in the so-called Syro-Roman lawbook, a compilation reflecting local customary practices in the late and post-Roman Near East, indicates that, however illegal the practice might have been in classical Roman law, adoption was used to form a 'brotherhood' for the purpose of maintaining familial property.[61] This evidence agrees with the Egyptian data on adoption. That is to say, there existed local mechanisms for forming artificial kinship links in provincial regions of the empire that were customarily practiced even though they were not countenanced by the Roman law.[62]

While taking note of these unusual local practices of adoption in the empire, the historian must also seek to understand the status of an artificial linkage of brotherhood by adoption in the Roman law. Only two sources in the entire corpus of the Roman law use the term *frater adoptivus*. One of the texts is a response by the second-century jurist Julianus, recorded as part of a definition of the kin who were eligible to inherit in intestate succession. Julianus states that cognate ties acquired through adoption are broken by a change in civil status. He offers an example: if a brother suffered the diminution of his civil status within one hundred days of his adopted brother's death, then he would not be able to obtain possession of his

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[58] For a survey of the evidence, see Marcel Henri Prévost, *Les adoptions politiques à Rome sous la République et le Principat* (Paris, 1949).

[59] The data are scant, probably because 'fosterage' arrangements were preferred to those of strict adoption. On the institution of the *alumni/ae* see H. S. Nielsen, "*Alumnus*: A Term of Relation Denoting Quasi-Adoption," *Classica et Mediaevalia* 38 (1987): 141–88; Jane Bellemore and Beryl Rawson, "*Alumni*: the Italian Evidence," *Zeitschrift für Papyrologie und Epigraphik* 83 (1990): 1–19; for the evidence from the Christian period, the survey by Henri Leclercq, "*Alumni*," *DACL* 1 (1907): 1288–1306, is still valuable.

[60] Kurylowicz, "Adoption" (n. 12 above), 72–75; the Roman laws governing the practice of adoption in the East are *Dig.* 45.1.132 (Paul); and *CJ* 8.47.4; 4.19.13; 8.47.6 (rescripts issued by Diocletian on adoption date to his travels in the eastern provinces in A.D. 293–94).

[61] Bruns and Sachau, *Syrisch-römisches Rechtsbuch* 2: 114 (§ 127 from the Syriac text); 144 (§ 126 from the Armenian text), and commentary, 2: 254–57 (§ 86); the lost Greek original dates to ca. 476–80; the surviving Syriac version, made in Mesopotamia, dates to the eighth century. The Greek text is a modern retroversion from the Syriac.

[62] Another example of the adoption of a brother that has not yet (to my knowledge) been discussed is found in the *Controversiae* of the Elder Seneca (*Controv.* 3.3). Once again, the details of the case suggest an eastern or Greek social practice rather than a Roman one.

adopted brother's property.[63] It is clear from the wording of the response, which deals with the ability of fraternal siblings to inherit property, that the jurist is speaking of a sibling who is one's 'adopted brother' because he has been adopted by the father of one's own family — not because any sibling adopted him as a brother.

The other legal text is a response by the Severan jurist, Paul, which states that someone can legally institute an heir by making the oral declaration: "Let this man be heir to me," if the person is present and can be pointed out. Attached to this general ruling is a more specific one stating that if a person is not one's 'real' brother but is someone "who is cherished with brotherly affection," such a man can still be instituted as heir and called 'brother'; the designation of the person as heir will still be valid.[64] Here too, there is no doubt that the term 'adopted brother' is used in an ordinary sense to mean a male sibling who has been adopted by one's father. The only other place where the term *frater adoptivus* is used is Paul's *Sententiae*. Paul is dealing with the default regulations governing intestate succession, and with the rights of consanguineous relations. Paul states that "*consanguinei* are those persons born from the same father, even if from different mothers, and who were in the father's power at the time of his death, even a brother who has been adopted (*adoptivus quoque frater*), as long as he has not been emancipated, and even those who have been born after the death of the father or who can demonstrate just grounds."[65]

These are the sum total of references to 'brotherhood' in an adoptive mode, either real or figurative, within the boundaries set by the Roman law for Roman society. There is no indication of the existence of a formal, legally recognized institution of adult men being able to form liaisons with each other as 'brothers' for any purposes by the mechanism of adoption. The one clearcut use of the term 'adopted brother' is a reference to a sibling (albeit an artificial one) who had been adopted by a man's own father.

The whole body of the law does, however, contain another explicit reference

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[63] *Dig.* 38.8.3 (*Unde Cognati*): *Iulianus libro vicensimo septimo digestorum*: "Capitis deminutione peremuntur cognationes, quae per adoptionem adquisitae sunt. Igitur si post mortem verbi gratia fratris adoptivi intra centensimum diem adoptivus frater capite deminutus fuerit, bonorum possessionem accipere non poterit, quae proximitatis nomine fratris defertur: praetorem enim non solum mortis tempus, sed etiam id, quo bonorum possessio petitur, intueri palam est."

[64] *Dig.* 28.5.59 [58].pr (*De Heredibus Instituendis*): *Idem libro quarto ad Vitellium*: "Nemo dubitat recte ita heredens nuncupari posse 'hic mihi heres est.' cum sit coram, qui ostenditur. 1. Qui frater non est, si fraterna caritate diligitur, recte cum nomine suo sub appellatione fratris heres instituitur."

[65] Paul (from the fourth book of his *Sententiae*) = *Collatio* 16.3.15: "Consanguinei sunt eodem patre nati, licet diversis matribus, qui in potestate fuerint mortis tempore: adoptivus quoque frater, si non sit emancipatus, et his qui post mortem patris nati sunt vel causam probaverunt."

to the practice of making a brother by adoption.[66] It is found in a rescript issued by the emperors Diocletian and Maximianus in answer to the petition of one Zizo. The emperors' response was as follows:

> It is not possible for anyone [even] amongst foreigners to make a brother for himself by means of adoption. Although you say that your father wished to do this, he was in error. Therefore, the governor of the province will take care to have restored to you that portion of the inheritance which that man (against whom you have petitioned us) took for himself on the grounds that he was instituted heir [by your father] as your father's adopted brother.[67]

This is a clear attestation in the law — though, it must be emphasized, the only one — of the practice of 'making a brother' by means of adoption. There are several things that are notable about the text. First, the main concern of the laws with the practice (and hence the matter of dispute that brought it before the emperor) was its connection with the maintenance and transmission of property. Second, the practice is attested not in the civil core of Roman imperial society, but on its frontiers "amongst foreigners" (*peregrini*). The Roman emperors correctly denied its legal validity for the purposes of inheritance and the devolution of property; one could not 'make a brother' in the Roman law by the mechanism of adoption. Further, the emperors ruled that they would not recognize the validity of this peculiar practice if any external peoples appealed to them to recognize the legal force of their local custom.[68]

What was the context in which Zizo's father and a third party were involved in an adoptive brotherhood? There are two circumstantial indicators of the social locus for the custom. The rescript to Zizo, issued on 3 December 285, was preceded by others from places along the Danube as the emperor Diocletian made his way to Nicomedia, which he reached on 20 January 286. The most probable location from which this rescript was issued, then, was somewhere in the two Moesias.[69] Then again, Bruns, Tamassia, and others have observed that the name

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[66] Among the most important studies are those by Tamassia, *L'affratellamento*; Nallino, "Divieto romano"; and Koschaker, "Adoptio in Fratrem."

[67] *CJ* 6.24.7 (Impp. Diocletianus et Maximianus AA. Zizoni): "Nec apud peregrinos fratrem sibi quisquam per adoptionem facere poterat. Cum igitur, quod patrem tuum voluisse facere dicis, irritum sit, portionem hereditatis, quam is adversus quem supplicas velut adoptatus frater heres institutus tenet, restitui tibi curae habebit praeses provinciae."

[68] Olga E. Tellegen-Couperus, *Testamentary Succession in the Constitutions of Diocletian* (Amsterdam, 1982), 66–70.

[69] Koschaker, "Adoptio in Fratrem," 373; on the dating see Barnes, *The New Empire* (n. 41 above), 50 ("Imperial Residences and Journeys"): on 2 November 285, Diocletian was at Civitas Iovia and Sonista, and in early December was surely further to the east; for political context, see Simon Corcoran, *The Empire of the Tetrarchs: Imperial Pronouncements and Government, A.D. 284–324* (Oxford, 1996), 115 and 174; Anthony M. Honoré, *Emperors and Lawyers*, 2nd ed. (Oxford, 1994), 154–55, attributes the drafting of the constitution to the *magister memoriae* Gregorius who was old-fashioned and provincial in his attitudes, and who was also responsible for the constitution on bigamy (*CJ* 5.5.2).

Zizo is probably of Slavic origin (although the claims about the nomenclature are far from certain).[70] Indeed, the most striking similarity of name is provided by the powerful Sarmatian chieftain called Zizais, who is mentioned three times in Ammianus Marcellinus's account of the violent operations of Roman armies along the middle Danube, in the region of modern day Belgrade.[71]

Diocletian's rescript was included in the ninth-century Byzantine legal code, the *Basilika*. The *Basilika* speak of a form of "brotherhood established through adoption" by persons living outside the Roman Empire. The phrase used in the *Basilika* of *adelphotês dia theseôs* (ἀδελφότης διὰ θέσεως) is usually glossed by terms like *adelphopoiia* (ἀδελφοποιία), *adelphopoiesis* (ἀδελφοποίησις) or *adelphosune* (ἀδελφοσύνη) in later sources.[72] The *Synopsis Basilicorum* from the tenth century repeats this reading of the imperial rescript. Both sources accept the emperors' earlier legal position, namely, that no one could legally make a brother by adoption and that the legal consequences of the act for inheritance were therefore null and void.[73] Later legal commentaries make clear that, so far

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[70] *FIRA*², vol. 2, Leges saeculares, no. 86 (*Libri Syro-Romani interpretationem A. C. Ferrini confectam, castigavit iterum edidit novis adnotationibus instruxit J. Furlani*), 780; cf. Bruns and Sachau, *Syrisch-römisches Rechtsbuch*, 2: 257, on which see Koschaker, "Adoptio in Fratrem," 373, and Nallino, "Divieto romano," 597, no. 1. The name in Lucian's dialogue, Σισίννης, is a normal Greek one (not Slavic): see Peter M. Fraser and Elaine Matthews, *A Lexicon of Greek Personal Names*, vol. 1 (Oxford, 1987), 408 (Σισίννιος) and Wilhelm Pape, rev. Gustav Eduard Benseler, *Wörterbuch der griechischen Eigennamen*, 3rd ed. (Braunschweig, 1884), 1400; close analogues to Zizo are found in the region of Arabia: a place named Zίζα in Arabia Petraea (Ptol. 5.16.6); and, in one MS variant, a phylarch of the Arabs in the time of Alexander Jannaeus named Zίζος (Josephus, *AJ*, 13.384): see ibid., 446.

[71] Amm. Marc. *Res Gestae*, 17.12.9 (A.D. 358 in operations around Sirmium): Zizais was a tall and handsome *regalis*; 17.12.20; 17.13.30 (Constantius appoints him king); Liselot Huchthausen, " 'Thrakerreskripte' aus dem *Codex Iustinianus*," *Acta Universitatis Nicolai Copernici: Historia* 13 (1979): 7–20 opts for a Thracian origin for the petitioner.

[72] *Basilicorum libri LX*: Series A, vol. 5 (textus librorum xxxv–xlii), 35.13.17, ed. Herman Jan Scheltema, Nicolaas van der Wal, and Douwe Holwerda, 8 vols. (Groningen, 1953–88): 5 (1967), 1620; cf. the earlier editions of A. Fabroti and C. G. E. Heimbach, eds. (Leipzig, 1833–70): 3 (1843), 606; and Zepos and Zepos, *Ius Graecoromanum*, 5: *Synopsis Basilicorum* (Athens, 1931; repr. Aalen, 1962), 28, p. 64: Μηδὲ παρὰ ξένοις τοῖς ἔξω Ῥώμης οἰκοῦσι διὰ θέσεως ἀδελφότης συνιστάσθω. Κἂν τις ὡς ἀδελφὸς προσληφθεὶς κληρονόμος γραφῇ, ἐκπιπτέτω τῆς κληρονομίας. Καὶ ὅτε οὐκ ἔξεστίν τινι εἰς θέσιν λαμβάνειν ἑαυτῷ ἀδελφόν· εἰ δὲ προσληφθῇ κληρονόμος, ἐκπίπτει.

[73] *LX Librorum ΒΑΣΙΛΩΝ: id est universi iuris Romani, auctoritate principum Romanorum Graecam in linguam traducti. Ecloga sive Synopsis*, ed. J. Leunclaim (Basel, 1575), 35.13.15, p. 347 = Zepos and Zepos, *Ius Graecoromanum*: 5: 28, Σ 'c', p. 64: Ἐδεήθη τις βασιλέως, ὅτι ὁ πατὴρ αὐτοῦ ἔλαβεν εἰς θέσιν ἑαυτῷ ἀδελφόν, καὶ τελευτῶν ὡς ἀδελφὸν ἐνεστήσατο κληρονόμον αὐτόν. Καὶ λέγει ἡ διάταξις· Οὐκ ἔξεστί τινι λαβεῖν εἰς θέσιν ἑαυτοῦ (λεγ· ἑαυτῷ) ἀδελφόν, καὶ δυνατὸν ἀποσπᾶσθαι παρ' αὐτοῦ τὸ μέρος τοῦ κληρονόμου (λεγ· τῆς κληρονομίας). δύναμαι καὶ γράφειν κληρονόμον τὸν πρὸς ὃν ἔχω σχέσιν ἀδελφικήν, μετὰ τῆς κυρίας προσηγορίας ἀδελφὸν αὐτὸν ὀνομάζων. εἰ δὲ μὴ ἀπὸ τοιαύτης σχέσεως, ἀλλὰ

as the lawyers were concerned, the main purpose for making such a brotherhood was to create an heir, or a person who could share in one's property by inheritance. As such the laws forbade the arrangement.[74] The basis for rejecting the legal validity of the act that is emphasized in these laws, and repeated in the later legal scholia on them, is that adoption 'imitates nature'. Since nature does not produce siblings by procreation out of oneself, it follows that the creation of a brother by adoption is not possible.[75]

The problem that historians face in interpreting the everyday realities to which the legal texts refer, however, is a lack of contemporary descriptions of these adoptive brotherhoods. For such quotidian realia, the historian is tempted to draw on much later historical sources, such as the legal questions reputedly put to Chomatenos, archbishop of Ochrid in the early thirteenth century, and the 'replies' (ἀποφάνσεις) attributed to him.[76] In one case a soldier named Alexander, who was an adopted or 'made' brother (συνέστη διὰ θέσεως ἀδελφότης) of a fellow soldier named Chydros, wished to take as his wife the daughter of another soldier named Basos. Basos was the biological brother of Chydros. Alexander wished to know if the proposed marriage was forbidden because the man was the brother of his 'adopted' or 'made' brother Chydros (ἀπὸ τοῦ γενέσθαι θετὸν ἀδελφόν). Chomatenos replies that the proposed marriage is not forbidden or illegal since the institution of ritual brotherhood was not legally recognized in the first place, and therefore could have no legal impact on inheritance. Chomatenos quotes the terms of the law in the *Basilika*, and adds in comment that, "since the making of a brother (ἡ ἀδελφοθεσία) is forbidden by all our sacred laws," it cannot form an impediment to the proposed marriage. He states that too close an actual kin relationship (συγγενεία) — one formed either by an already existing close kinship connection (ἐξ ἀγχιστείας) or by actual blood-descent (ἡ συγγενικοῦ αἵματος) — would indeed be an impediment to marriage. But the only artificial kin relationships that Chomatenos is willing to

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κατὰ πλάνην ὡς ἀδελφὸν αὐτὸν ἔγραψα, ἡ ἔνστασις ἀκυροῦφται.The scholia to the *Basilika* are categorized as 'old', dating to the eleventh century, and 'new', dating to both the eleventh and twelfth centuries. The heading for this scholion is περὶ ἀδελφοποιίας.

[74]Zepos and Zepos, *Ius Graecoromanum*, 5: 28, Σ 'a', p. 64: Τοῖς μὴ συγγενέσιν οὖσι δηλονότι. ὡς οὖν παρὰ τοῖς συγγενέσιν οὐ κεκώλυται ἡ κατὰ θέσιν ἀδελφότης· εἰ γὰρ τις ξένον τινὰ κατὰ θέσιν ἀδελφὸν ὄντα γράφῃ κληρονόμον ἀδελφόν ὀνομάσας, οὐ ποιεῖ κληρονόμον διὰ τὸ ἀδελφὸν αὐτὸν ὀνομάσαι, ὡς τοῦ νόμου τούτου κωλύοντος τὴν κατὰ θέσιν ἀδελφότητα.

[75]Zepos and Zepos, *Ius Graecoromanum*, 5: 28, Σ 'b', p. 64: Ἡ θέσις μιμεῖται τὴν φύσιν. οὐδεὶς δὲ ἑαυτῷ γεννᾷ ἀδελφόν.

[76]Zepos and Zepos, *Ius Graecoromanum*, 7: II(*), pp. 503–4. The discussion is headed: Ὅτι οὐκ ἔστι τοῖς νόμος δεκτὴ ἡ ἐκ διαθέσεως ἀδελφότης, καὶ διὰ τοῦτο οὐδὲ γαμικὰ συναλλάγματα ἐμποδοστατεῖ. Since the whole text is too long to cite in its entirety, the critical Greek terms are included in the discussion in the text above.

contemplate are ritual descent relationships established either by holy baptism or by an adoption made properly "according to the holy canons and sacred laws." He specifically states that all other forms of ritual kinship are forbidden, that they have no standing in the law, and are therefore without legal effect. Chomatenos then repeats the classic formulation of the Roman law that artificial kinship mimics nature. One can procreate a son (hence the acceptability of adoption), but one cannot procreate a brother. Therefore 'made' brothers are not legally recognized.

The case brought before Chomatenos is interesting on several counts. It shows, once again, that such ritual brotherhoods were formed and were regarded as 'real' by the men who formed them — in this case, notably, by two armed men. These men, therefore, had genuine concerns about marriage prohibitions that might stem from these ritualized relationships.[77] This is so whether or not the ritual brotherhoods were actually recognized by the law (they were not) or by the church (they were not, as Chomatenos explicitly states in his detailed commentary on the case). The place of sentiment in all this is difficult to explicate, but the weight of the existing evidence suggests a context similar to that of the 'Skythian' ritual brothers in Lucian. Chomatenos's case involves a man who is contemplating a marriage with a woman, and there is no countervailing evidence to indicate that the existing ritual brotherhood envisaged a bigamous relationship between Alexander, his prospective wife, and his ritual brother Chydros. The reasons for forming the ritual brotherhood clearly lay elsewhere. But the only explicit concern the Byzantine laws have with such personal liaisons is with their implications for *kleronomia* — problems that they might generate in the inheritance of property. That is to say, the civil law, like the canonical, tended to confine its interests in ritual brotherhood to its own limited and peculiar concerns. Since the two men were soldiers, however, the pervasive violence and feuding in the area of Greece in which Chomatenos was archbishop was probably not without relevance to whatever concerns these men might have had with inheritance and defense of property.[78]

The general import of these examples, however few they might be, is to confirm the existence of a practice within certain non-Roman populations — those living on or beyond the northern frontiers of the empire — to form artificial brother-

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[77] A concern for which legislative provision had to continue to be made; see Leo, *Novellae*, 24: Περὶ τοῦ μὴ γαμεῖν τὰ τέκνα τὰ φυσικὰ τὰ θετά· φιν· τοιγαροῦν καὶ θεσπίζομεν, μηδαμῶς ἐξεῖναι τοὺς οὕτως ὑποβεβηκότας τὸ τῶν ἀδελφῶν ὄνομα πρὸς τὸ τῆς συζυγίας ἀντὶ τῆς ἀδελφότητος μεθαρμόζεσθαι. See Zepos and Zepos, *Ius Graecoromanum*, 1: *Novellae et Aureae Bullae Imperatorum post Iustinianum*, 86–87.

[78] Chomatenos's rulings therefore provide insights into this aspect of the society as well: Ruth J. Macrides, "Killing, Asylum, and the Law in Byzantium," *Speculum* 63 (1988): 509–38, at 519–20 and esp. 533–34.

hoods, either by adoption or by acts that were analogous to adoption.[79] The main region in Europe where such ritual brotherhoods have been pervasively reported is the region for which the rescript of Diocletian was issued, the same one on which the Byzantine legal compilations offered comment, and the same one to which the documents from the Orthodox church applied: the Balkans and adjacent lands.[80] As European ethnologists and proto-anthropologists of the nineteenth century probed the 'savage frontiers' of their own continent, principally its Slavic and Greek borderlands with the Ottoman empire, they reported rituals and ceremonials by which persons created artificial kin, including brothers, to provide better protection for themselves and to increase their ability to harm others. Based on these reports, as early as 1910 Hamilton-Grierson was able to give a synoptic recount of some of the blood-sharing rituals that were associated with the ecclesiastical ceremony.[81] The results of such bonds were very strong, creating effective kinship links between the ritual brothers that were considered bars to intermarriage (e.g., to the sister of one's ritual brother). Precisely as in the brotherhood agreements in the rescript of Diocletian, in the Byzantine legal commentaries, and in the *adelphopoiesis* ceremonials of the Orthodox church, these relationships were supplementary to and different from marriage. The reasons for the formation of the bonds of artificial kinship were connected with the prevalence of primal forms of social organization in the face of the weakness of effective central state power and the concomitant power of interpersonal and interethnic forms of violence. These circumstances produced the need to solidify property and power by marshaling the resources of personal connections — to increase one's own power through kinship and artificial kin relationships and to defuse potential threats by these same means.

Another problem connected with ritual brotherhood is that of understanding the elements of gender and sexuality that were entailed by the relationship, and specifically, given the intensity of the male bond being formed, the possible homoerotic elements in it. For analytical purposes, it is perhaps best to keep the

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[79] I concentrate on the northern frontiers, since it is here that ritual brotherhoods are most extensively attested in the existing sources. They doubtless existed elsewhere among other societies dominated by segmentary lineage systems, as among the Arabic peoples: see Carlo Alfonso Nallino, "L'Affratellamento e l'Islamismo," in "Divieto Romano," 614–29; and in the Axumite kingdom of Ethiopia: see Yuri M. Kobishchanov, *Axum*, trans. Lorraine T. Kapitanoff (University Park, Pa., 1979), 107, for a typical case. Abreha, the rebellious head of the Himyarite kingdom in southwestern Arabian peninsula, and Ella Asbeha, the king of Axum, were reconciled as 'blood brothers' (ca. A.D. 545). Ella Asbeha himself had earlier (ca. A.D. 524–25) become the godfather of Sumafa Ashwa, the very man in the Himyarite kingdom whom he had been sent out to destroy (ibid., 101–2).

[80] Hamilton-Grierson, "Brotherhood (Artificial)," § 32–43 (= "iii. The institution among the Southern Slavs").

[81] Ibid., 865, citing Ciszewski, *Künstliche Verwandtschaft*, 33–35, 60–68.

phenomena of ritual brotherhood and sexuality separate — otherwise, there is the danger that certain types of male homosexual relationships may automatically be assumed to be instances of *adelphopoiesis* where there is simply no evidence to sustain the assumption. The problem is especially difficult because evidence on the possible erotic content of relations between ritual brothers in Greco-Roman antiquity is extremely scarce.[82] Certain ritual sibling relationships must have entailed strong emotive feelings, some of which must have been erotic. But even if they existed, were such sentiments necessary to the formation of ritual brotherhoods? The main difficulty, again, is that the evidence on sentiments shared by ritual brothers in antiquity is so sparse. One of the few cases that explicitly connects particular types of emotional sentiments with bonds of ritual brotherhood comes from the coparenting, ritual adoptive, and fictive kinship arrangements reported by Procopius.[83] The pertinent case is his account of a ritual brotherhood formed between an unnamed Armenian strongman and the Armenian king Arsaces, where sentiments between the 'made' brothers were indeed rather intense. Arsaces asserted that the feelings he had for his ritual brother exceeded any of the other emotional attachments of his lifetime.[84] But the report is singular and does not offer much detail.

What Can We Know?

In the Roman and late antique periods, isolated examples of artificial brothers — such as those recounted by Ammianus Marcellinus, Gregory of Tours, pseudo-Bardaisan, and Lucian — can be found, but with some difficulty. They are rare, relative to other forms of natural and artificial kinship. Marriage remained by far the normal means of forming most connections of kinship; only occasionally was recourse had to links created through the ritual kinship instruments of adoption and baptism. And there are no known instances of artificial brother

[82] For example, Michael Angold, *Church and Society in Byzantium under the Comneni, 1081–1261* (Cambridge, 1995), 556–57, strongly suspects a case of *adelphopoiesis* based on a text that only mentions a condemnation of male homosexuality: Joseph A. Munitiz, ed., *Nicephori Blemmydae Autobiographia sive Curriculum Vitae necnon Epistula Universalior*, *CCG* 15 (Turnhout, 1984), 1: 19–21 (pp. 12–13).

[83] Procop. *Wars*, 1.2.12–15; 1.3.5–7; 1.3.17; 5.29.42–43; 6.1.14; 7.32.6; 7.36.23; 7.36.28; 7.34.44; 8.2.18. A detailed case is the Sasanian monarch Kavad's attempt in A.D. 518 to form a close bond with the Byzantine emperor Justin by the device of coparenthood — through Justin's adoption of Kavad's son, Khusro. The link was never consummated, since the Roman emperor's advisers objected to the pretended adoption as incompatible with the legal forms of Roman adoption (1.11.6–29). The divergent ethnic, social, and legal customs only produced hostility: Khusro could not understand why the adoption could not take place, and so he took the Roman rejection as a mortal insult (1.11.29).

[84] Procop. *Wars*, 1.5.12–40; on the nature of the intense personal sentiments between the two men, see 1.5.35–40.

arrangements outside the membership of the so-called first 'Tetrarchy'.[85] The problem for the modern-day historian is to discern the types of human relationships that are reported in the surviving sources. In Gregory of Tours we are fortunate in having a contemporary witness to a post-Roman society in which the degree of disintegration of the central state, and the replacement of the authority of the law by dominant personal relationships based on a brutal *Zwangsrecht* is so advanced that there is a greater probability that the chronicler will record what we want to know. Even here, however, only the Sicharius-Chramnesindus episode is sufficiently localized — a miniature drama at Tours in which Gregory himself was involved — that we benefit from the reportage. Where Gregory's history raises its perspective to the stratum of the central court, historians lose the necessary local coverage. Even at this higher level, only a stroke of good fortune provides us with the details of an artificial kinship arrangement like baptismal adoption. It is because these cases were contemporary with Gregory that he happened to note them. For earlier periods, he reports nothing comparable.[86]

The overriding problem for the modern historian is, therefore, one of contextual meaning. Whereas it is possible to construct arguments concerning the secular and public consequences of ritual brotherhoods, the possible sexual and erotic elements of such relationships remain largely hidden. One could argue from the dossiers of the anthropologists that certain homoerotic behaviors are sometimes associated with specific social structures for which comparable types can found among the peripheral societies of the Roman Empire. But I know of no texts that would permit historians actually to make the connection with reasonable probability for the high Roman Empire or for any society in the early post-Roman west. Further, one can state as a certainty that the Roman state, to the end, rejected the legality of such arrangements. The case of the eastern Orthodox church is more ambiguous. From the eighth to eleventh centuries there certainly existed ecclesiastical rituals that, however much church authorities might later condemn them, were used, and continued to be used, to confirm the relationship of ritual brotherhood.

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[85] Alexander Demandt, "Der spätrömische Militäradel," *Chiron* 10 (1980): 609–36; with modifications and additions in idem, "The Osmosis of Late Roman and Germanic Aristocracies," in Evangelos K. Chrysos and Andreas Schwarcz, eds., *Das Reich und die Barbaren* (Vienna and Cologne, 1988), 75–85.

[86] Lynch, *Godparents and Kinship*, 163 n. 2, specifies the sixteen times that Gregory mentions baptismal kinship arrangements. All but one, Lynch notes, are contemporary with Gregory; he knows virtually nothing about the practice before his own time. The one earlier example he does record (that of Clovis) clearly has exceptional force, because of Clovis's extraordinary stature (but, even so, at only three generations from the event, Gregory does not even know the name of the king's baptismal sponsor).

Ritual brothering or *adelphopoiesis* remained, it seems, a rather irregular and occasional practice at the core of a Roman society that was dominated by complex organizational networks. These institutional structures tended to depress considerably the demand for a type of dangerous personal bond that was fixed by threatening rituals and ceremonials. Still, our analysis in this paper might assist in the identification of ritual brothers amongst men who are simply called 'brothers' in our historical sources, especially in frontier societies along or outside the periphery of the Roman Empire. Social power in these frontier societies encouraged the formation of ritual brotherhoods as a means of facilitating both aggression and protection against aggression. In these circumstances, men who are called 'brothers' in our sources may be biological siblings or they may be collateral kin (e.g., cousins), but the possibility that they might be ritual brothers cannot now be dismissed.

A few examples of these possibilities can be culled from the text of Ammianus Marcellinus. In detailing the often violent relations between Roman frontier forces and German ethnic groups along the Rhine, Ammianus sometimes notes that the head of a German ethnic group is the 'brother' of the head of a neighboring group with whom he cooperates. Although such men may have been biological brothers or cousins, the possibility that the bond was a ritual one cannot simply be discounted.[87] The evidence concerning these 'brothers' provokes comparison with the pseudo-Bardaisan's comments on male bonds among 'the Germans' and the practices associated with blood brotherhoods among Germanic peoples widely attested in early medieval sources.[88] Similarly, when Ammianus recounts the details of the 'rebellion' of the north African chieftain Firmus in 372/73, he names seven different 'brothers' who were heads of various ethnic groups located in widely separated regions of the Grande Kabylie and adjacent mountain zones.[89] These men may have been cousins or other collateral kin, but they may just as well have been ritual brothers.

In another instance from the marchlands of the Empire we can be certain that this was the case. In recounting events on the northern frontier in 372, Ammianus

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[87] Amm. Marc. *Res Gestae* 14.10.1 (A.D. 354); 16.12.17 (A.D. 357); 21.3.4 (A.D. 361): the *fratres* Gundomadus and Vadomarius; 18.2.15–17 (A.D. 359); Macrianus and Hariobaudus are *fratres*, indeed *germani fratres*.

[88] Hellmuth, *Die germanische Blutsbrüderschaft*. Hellmuth purposefully limits his purview to the role of 'blood' in the brothering rituals, but he imposes this limitation mainly because the oral-based literary sources upon which he depends highlight blood-sharing as the formative ritual. This perspective dominates these texts, however, because the authors viewed the elements of the rituals from a non-Christian or 'pagan' perspective. Hellmuth's decision to focus on the blood-sharing ritual, therefore, tends to mislead; the bond and the rituals are certainly those of ritual brotherhood.

[89] Amm. Marc. *Res Gestae*, 29.5.

notes the case of one "Festus quidam Tridentinus" who was bound to one Maximinus by a bond of brotherhood. This Festus is none other than the man who later wrote the historical *Breviarium*.[90] Ammianus reports that he was "accepted in a bond of brotherhood by Maximinus and loved by him as a companion and a social equal."[91] Although Festus was, according to Ammianus, "ultimi sanguinis et ignoti," from a border town in Raetia, his career was enhanced after he formed the bond of brotherhood with Maximinus, a man who came from the same frontier background. Maximinus was born at Sopianae in the late Roman province of Valeria (eastern Hungary), and was descended from Carpi tribesmen who had been settled on the Roman side of the Danube by the emperor Diocletian.[92] It cannot be accidental that we learn of another ritual brother from the Balkan borderland societies of the Empire.

The ethnographic and early modern historical evidence relating to the Greek and Slavic cases of ritual brotherhood is decisive for how we interpret ancient texts. The evidence reveals that, in the greatest number of attested cases, artificial brotherhoods were formed for purposes of protection, defense, and armed aggression in a disintegrated social order in which the threat of violence and physical force was a real and ever-present danger. Ritual brother arrangements only tended to be noted by legal authorities when these authorities thought that the civil law might have some concern with the legal consequences stemming from them. The ecclesiastical services, rituals, and prayers were similarly located at the juncture where the worlds of local secular power and religious authority happened to intersect. One can therefore understand the declared disinterest of the lawyers in the institution of ritual brotherhood, and the consistent hesitancy of the church to become formally involved in approving such a potentially dangerous relationship, no matter how pervasive it may have been.

The civil law and ecclesiastical sources, if read in isolation, are therefore potentially misleading, as privileged but partial indicators of a much more widespread social practice. More seriously, they can lure us into reading a social

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[90] *PLRE*, 1, s.v., "Festus (3)," 334–35.

[91] Amm. Marc. *Res Gestae* 29.2.22: "Festus quidam Tridentinus ultimi sanguinis et ignoti, in nexum germanitatis a Maximino dilectus ut sodalis et contogatus, decernentibus fatis ad orientem transgressus est ibique administrata Syria magisterioque memoriae peracto bona lenitudinis et reverentiae reliquit exempla, unde regere Asiam proconsulari potestate exorsus velificatione tranquilla, ut aiunt, ferebatur ad gloriam." Some of the MSS have 'Festinus' as the man's name, but his career shows clearly that it is Festus that is meant. The 'inus' ending on his name must have resulted from dittography of the 'Tridentinus'. The Latin mimics the terms of biological kinship descent; cf. Apul. *Met.* 2.3: when Lucius meets his kinswoman (*parens*) in Thessaly, she tells him: "Parentis tuae non modo sanguinis, verum alimoniarum etiam socia, nam et familia Plutarchi ambae prognatae sumus, et eandem nutricem simul bibimus, et *in nexu germanitatis* una coaluimus."

[92] Amm. Marc. *Res Gestae* 28.1.5; cf. *PLRE*, 1, s.v., "Maximinus (7)," 577–78.

institution from their perspective as primarily concerned either with affective, spiritual bonds or with the devolution of property. The primary reason for this deflection of meaning was the self-interest of their authors (lawyers and ecclesiastics) that encoded their limited concerns with the practice of ritual brotherhood. To understand the practice, historians will have to be content with an erratic scattering of primary data, along with hypotheses derived from comparative ethnography. Though not a pervasive practice in institutionally dominated polities, ritual brotherhood was commonly found in ethnic groups along the periphery of the empire, whose main organizing principles were those of kinship and amity. It has simply escaped the coverage of the existing written sources.

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